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To: Page 1 of 9

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Squire Patton Boggs From: McKean, Amy L.



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March 23, 2018

To:	Office of the Attorney General	Fax No.:	1-317-233-4393
	Consumer Protection Division	Phone No.:	

From:	Amy L. McKean	Number of Pages (including cover):	9
Subject:	Indiana Data Breach Notification Form		

The attached information is LEGALLY PRIVILEGED AND CONFIDENTIAL and is intended only for the use of the addressee named above. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, please be aware that any dissemination, distribution or duplication of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the address above via the postal service. Thank you.

Notification form attached.

47 Offices in 20 Countries

Squire Patton Boggs (US) LLP is part of the international legal practice Squire Patton Boggs, which operates worldwide through a number of separate legal entities.

Please visit squirepattonboggs.com for more information.

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Return to Office

Fax No.

**INDIANA DATA BREACH NOTIFICATION FORM**
 OAG Form 1079 (R1 / 08-14)
 Identity Theft Unit

 OFFICE OF ATTORNEY GENERAL
 Consumer Protection Division
 Government Center South, 5th floor
 302 W. Washington Street
 Indianapolis, IN 46204
 (317) 233-4393 – Fax

Name and Address of Entity or Person that owns or licenses the data subject to the breach			
Name Squire Patton Boggs (US) LLP			
Street Address 127 Public Square		City Cleveland, Ohio	State OH
Zip Code 44114			
Submitted by Stacy Ballin	Title Partner and General Counsel		Dated 3-23-2018
Firm Name and Address (if different than entity)			Telephone 216-479-8523
Email stacy.ballin@squirepb.com	Relationship to Entity whose information was compromised 1099 Forms		

Type of Organization (please select one)		
<input type="checkbox"/> State of Indiana Government Agency	<input type="checkbox"/> Health Care	<input type="checkbox"/> Not-For-Profit
<input type="checkbox"/> Other Government Entity	<input type="checkbox"/> Financial Services	<input checked="" type="checkbox"/> Other – please specify
<input type="checkbox"/> Educational	<input type="checkbox"/> Other Commercial	Legal Services

Number of Persons Affected	
Total (Indiana included)	256 possible
Indiana Residents Only	1 possible

Dates	
Date Breach Occurred (include start/end dates if known)	End of Jan. 2018
Date Breach Discovered	February 7, 2018
Date Consumers Notified	March 12, 2018

Reason for delay, if any, in sending notification
N/A

Description of Breach (select all that apply)	
<input checked="" type="checkbox"/> Inadvertent disclosure	<input type="checkbox"/> External system breach (e.g. hacking)
<input type="checkbox"/> Insider wrong-doing	<input type="checkbox"/> Other
<input type="checkbox"/> Loss or theft of device or media (e.g. computer, laptop, external hard drive, thumb drive, CD, tape)	

Information Acquired (select all that apply)	
<input checked="" type="checkbox"/> Social Security Number	<input type="checkbox"/> Name in combination with (select all that apply)
	<input type="checkbox"/> Driver's License Number <input type="checkbox"/> State Identification Number
	<input type="checkbox"/> Credit Card or Financial Account Information
	<input type="checkbox"/> Debit Card Number (in combination with security code, access code, password or PIN for account)

List dates of previous breach notifications (within last 12 months)
N/A

INDIANA DATA BREACH NOTIFICATION FORM

Page 2 of 2

Manner of Notification to Affected Persons	
Attach a copy of a sample notification letter:	
<input checked="" type="checkbox"/>	Written
<input type="checkbox"/>	Electronic (email)
<input type="checkbox"/>	Telephone

Identity Theft Protection Service Offered		
<input checked="" type="checkbox"/> Yes	Duration	12 months
<input type="checkbox"/> No	Provider	AllClear ID
Brief Description of Service: Identity protection, identity repair, and credit monitoring.		

Since this breach, we have taken the following steps to ensure it does not reoccur (attach additional pages if necessary)
<p>We consulted with data privacy lawyers and a third party forensic vendor and took steps to identify as best we could who was affected by the error. We took prompt remedial steps, including proper instructions to employees in handling 1099s. We will have enhanced oversight of staff for the future sending of 1099s.</p>

Any other information that may be relevant to the Office of Attorney General in reviewing this incident (attach additional pages if necessary)
<p>Our law firm learned that in the course of mailing out annual Form 1099s, the hard copy of one individual's Form 1099 was mistakenly included in an envelope of another recipient's Form 1099. The Form 1099s contain the Tax ID numbers of corporate payees, or the social security number of individual payees, along with name and mailing address and other information found in a Form 1099. The incident occurred at the end of January 2018, when our firm's accounting staff sent Form 1099s relating to all vendors or other third parties we had paid during 2017 for whom Form 1099s are required. We learned of the incident on February 7, 2018, when a vendor who received two Form 1099s in their package alerted us to the issue involving a New Jersey resident.</p> <p>We are not aware of any other instances where a Form 1099 recipient received another individual's 1099. To ensure that all intended recipients have received Form 1099s, we have resent all individual Form 1099s. In addition, out of an abundance of caution, we sent letters to all potentially affected individuals (i.e., all individuals who are Form 1099 recipients) to inform them about the incident and offered credit monitoring and identity theft protection for a year. We gave notice to the potentially affected Indiana citizens on March 12, 2018. For the sake of clarity, no electronic Form 1099s (or any other electronic records) were affected in this incident.</p>

SUBMIT



Squire Patton Boggs (US) LLP
1500 W. 3rd Street, Suite 450
Cleveland, Ohio 44113

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squirepattonboggs.com

Michael E. McKenna
T +1 216 687 3427
michael.mckenna@squirepb.com

[DATE]

[NAME]
[ADDRESS]

Dear _____:

We are writing to inform you of an incident that may have involved your personal information. It has come to our attention that in the course of mailing out annual 1099s, a 1099 for one (1) individual recipient was mistakenly included in the envelope with another recipient's 1099. We are not aware of any other instances where a 1099 recipient received another individual's 1099. To ensure that all intended recipients have received 1099s, we have resent all individual 1099s. In addition, out of an abundance of caution, we are sending letters to all potentially affected individuals (i.e., all individuals who are 1099 recipients) to inform you about the incident and offer credit.

To be clear, we have not learned that your 1099 was mistakenly mailed to another person. However, since we cannot determine whether paper copies of any other individuals' 1099s were mistakenly included in another individual's 1099 envelope, we are notifying all of our individual 1099 recipients, which is why you are receiving this notice.

If you received your 1099 from Squire Patton Boggs (SPB) by the first or second week of February, then your 1099 was not sent to another individual and this notice does not apply to you. If you did not receive your 1099 by the second week in February, it is possible another 1099 recipient received your 1099 along with their own, however it also possible that something else happened, such as, it got lost in the mail, or was opened and misplaced by another person in your household.

For the sake of clarity, no electronic 1099s (or any other electronic records) were affected in this incident.

We want to make you aware of steps you may take to guard against identity theft or fraud. Please review the enclosed Information about Identity Theft Protection.

As an added precaution, we have arranged to have AllClear ID protect your identity for 12 months at no cost to you. The following identity protection services start on the date of this notice and you can use them at any time during the next 12 months.

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Please visit squirepattonboggs.com for more information.

AllClear Identity Repair: This service is automatically available to you with no enrollment required. If a problem arises, simply call 1-877-676-0379 and a dedicated investigator will help recover financial losses, restore your credit and make sure your identity is returned to its proper condition.

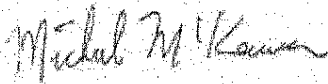
AllClear Credit Monitoring: This service offers additional layers of protection including credit monitoring and a \$1 million identity theft insurance policy. To use this service, you will need to provide your personal information to AllClear ID. You may sign up online at enroll.allclearid.com using the following redemption code: _____.

Please note: Additional steps may be required by you in order to activate your phone alerts and monitoring options.

We take the protection of your personal information seriously and are taking steps to prevent a similar occurrence.

If you have further questions or concerns about this incident, you contact Mike McKenna, Global Chief Financial Officer, Squire Patton Boggs at 216-687-3427. We sincerely regret any inconvenience or concern caused by this incident.

Sincerely,



Michael E. McKenna
Global Chief Financial Officer
Squire Patton Boggs (US) LLP
1500 W. 3rd Street, Suite 450
Cleveland, Ohio 44113

Information about Identity Theft Protection

We recommend that you regularly review statements from your accounts and periodically obtain your credit report from one or more of the national credit reporting companies. You may obtain a free copy of your credit report online at www.annualcreditreport.com, by calling toll-free 1-877-322-8228, or by mailing an Annual Credit Report Request Form (available at www.annualcreditreport.com) to: Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA, 30348-5281. You may also purchase a copy of your credit report by contacting one or more of the three national credit reporting agencies listed below.

Equifax:	P.O. Box 740241, Atlanta, Georgia 30374-0241, 1-800-685-1111, www.equifax.com
Experian:	P.O. Box 8532, Allen, TX 75013, 1-888-397-3742, www.experian.com
TransUnion:	P.O. Box 1000, Chester, PA 19022, 1-800-888-4213, www.transunion.com

When you receive your credit reports, review them carefully. Look for accounts or creditor inquiries that you did not initiate or do not recognize. Look for information, such as home address and Social Security number, that is not accurate. If you see anything you do not understand, call the credit reporting agency at the telephone number on the report.

We recommend you remain vigilant with respect to reviewing your account statements and credit reports, and promptly report any suspicious activity or suspected identity theft to us and to the proper law enforcement authorities, including local law enforcement, your state's attorney general and/or the Federal Trade Commission ("FTC"). You may contact the FTC or your state's regulatory authority to obtain additional information about avoiding identity theft.

Federal Trade Commission, Consumer Response Center
600 Pennsylvania Avenue, NW, Washington, DC 20580, 1-877-IDTHEFT (438-4338), www.ftc.gov/idtheft

For residents of Maryland: You may also obtain information about preventing and avoiding identity theft from the Maryland Office of the Attorney General:

Maryland Office of the Attorney General, Consumer Protection Division
200 St. Paul Place, Baltimore, MD 21202, 1-888-743-0023, www.oag.state.md.us

For residents of Massachusetts: You also have the right to obtain a police report.

For residents of North Carolina: You may also obtain information about preventing and avoiding identity theft from the North Carolina Attorney General's Office:

North Carolina Attorney General's Office, Consumer Protection Division
9001 Mail Service Center, Raleigh, NC 27699-9001, 1-877-5-NO-SCAM, www.ncdoj.gov

The next 2 paragraphs are regarding incidents involving personal health information. Disregard if not applicable to your situation.

We recommend that you regularly review the explanation of benefits statement that you receive from your insurer. If you see any service that you believe you did not receive, please contact your insurer at the number on the statement. If you do not receive regular explanation of benefits statements, contact your provider and request them to send such statements following the provision of services in your name or number.

You may want to order copies of your credit reports and check for any medical bills that you do not recognize. If you find anything suspicious, call the credit reporting agency at the phone number on the report. Keep a copy of this notice for your records in case of future problems with your medical records. You may also want to request a copy of your medical records from your provider, to serve as a baseline. If you are a California resident, we suggest that you visit the web site of the California Office of Privacy Protection at www.privacy.ca.gov to find more information about your medical privacy.

Fraud Alerts: There are also two types of fraud alerts that you can place on your credit report to put your creditors on notice that you may be a victim of fraud: an initial alert and an extended alert. You may ask that an

initial fraud alert be placed on your credit report if you suspect you have been, or are about to be, a victim of identity theft. An initial fraud alert stays on your credit report for at least 90 days. You may have an extended alert placed on your credit report if you have already been a victim of identity theft with the appropriate documentary proof. An extended fraud alert stays on your credit report for seven years. You can place a fraud alert on your credit report by calling the toll-free fraud number of any of the three national credit reporting agencies listed below.

Equifax: 1-888-766-0008, www.equifax.com
Experian: 1-888-397-3742, www.experian.com
TransUnion: 1-800-680-7289, fraud.transunion.com

Credit Freezes (for Non-Massachusetts Residents): You may have the right to put a credit freeze, also known as a security freeze, on your credit file, so that no new credit can be opened in your name without the use of a PIN number that is issued to you when you initiate a freeze. A credit freeze is designed to prevent potential credit grantors from accessing your credit report without your consent. If you place a credit freeze, potential creditors and other third parties will not be able to get access to your credit report unless you temporarily lift the freeze. Therefore, using a credit freeze may delay your ability to obtain credit. In addition, you may incur fees to place, lift and/or remove a credit freeze. Credit freeze laws vary from state to state. The cost of placing, temporarily lifting, and removing a credit freeze also varies by state, generally \$5 to \$20 per action at each credit reporting company. *Unlike a fraud alert, you must separately place a credit freeze on your credit file at each credit reporting company.* Since the instructions for how to establish a credit freeze differ from state to state, please contact the three major credit reporting companies as specified below to find out more information:

Equifax: P.O. Box 105788, Atlanta, GA 30348, www.equifax.com
Experian: P.O. Box 9554, Allen, TX 75013, www.experian.com
TransUnion LLC: P.O. Box 2000, Chester, PA, 19022-2000, freeze.transunion.com

You can obtain more information about fraud alerts and credit freezes by contacting the FTC or one of the national credit reporting agencies listed above.

Credit Freezes (for Massachusetts Residents): Massachusetts law gives you the right to place a security freeze on your consumer reports. A security freeze is designed to prevent credit, loans and services from being approved in your name without your consent. Using a security freeze, however, may delay your ability to obtain credit. You may request that a freeze be placed on your credit report by sending a request to a credit reporting agency by certified mail, overnight mail or regular stamped mail to the address below:

Equifax: P.O. Box 105788, Atlanta, GA 30348, www.equifax.com
Experian: P.O. Box 9554, Allen, TX 75013, www.experian.com
TransUnion LLC: P.O. Box 2000, Chester, PA, 19022-2000, freeze.transunion.com

Unlike a fraud alert, you must separately place a credit freeze on your credit file at each credit reporting company. The following information should be included when requesting a security freeze (documentation for you and your spouse must be submitted when freezing a spouse's credit report): full name, with middle initial and any suffixes; Social Security number; date of birth (month, day and year); current address and previous addresses for the past five (5) years; and applicable fee (if any) or incident report or complaint with a law enforcement agency or the Department of Motor Vehicles. The request should also include a copy of a government-issued identification card, such as a driver's license, state or military ID card, and a copy of a utility bill, bank or insurance statement. Each copy should be legible, display your name and current mailing address, and the date of issue (statement dates must be recent). The credit reporting company may charge a reasonable fee of up to \$5 to place a freeze or lift or remove a freeze, unless you are a victim of identity theft or the spouse of a victim of identity theft, and have submitted a valid police report relating to the identity theft to the credit reporting company.

AllClear Identity Repair Terms of Use

If you become a victim of fraud using your personal information without authorization, AllClear ID will help recover your financial losses and restore your identity. Benefits include:

- «Time» months of coverage with no enrollment required.
- No cost to you — ever. AllClear Identity Repair is paid for by the participating Company.

Services Provided

If you suspect identity theft, simply call AllClear ID to file a claim. AllClear ID will provide appropriate and necessary remediation services ("Services") to help restore the compromised accounts and your identity to the state prior to the incident of fraud. Services are determined at the sole discretion of AllClear ID and are subject to the terms and conditions found on the AllClear ID website. AllClear Identity Repair is not an insurance policy, and AllClear ID will not make payments or reimbursements to you for any financial loss, liabilities or expenses you incur.

Coverage Period

Service is automatically available to you with no enrollment required for «Time» months from the date of the breach incident notification you received from Company (the "Coverage Period"). Fraud Events (each, an "Event") that were discovered prior to your Coverage Period are not covered by AllClear Identity Repair services.

Eligibility Requirements

To be eligible for Services under AllClear Identity Repair coverage, you must fully comply, without limitations, with your obligations under the terms herein, you must be a citizen or legal resident eighteen (18) years of age or older, and have a valid U.S. Social Security number. Minors under eighteen (18) years of age may be eligible, but must be sponsored by a parent or guardian. The Services cover only you and your personal financial and medical accounts that are directly associated with your valid U.S. Social Security number, including but not limited to credit card, bank, or other financial accounts and/or medical accounts.

How to File a Claim

If you become a victim of fraud covered by the AllClear Identity Repair services, you must:

- Notify AllClear ID by calling 1.855.434.8077 to report the fraud prior to expiration of your Coverage Period;
- Provide proof of eligibility for AllClear Identity Repair by providing the redemption code on the notification letter you received from the sponsor Company;
- Fully cooperate and be truthful with AllClear ID about the Event and agree to execute any documents AllClear ID may reasonably require; and
- Fully cooperate with AllClear ID in any remediation process, including, but not limited to, providing AllClear ID with copies of all available investigation files or reports from any institution, including, but not limited to, credit institutions or law enforcement agencies, relating to the alleged theft.

Coverage under AllClear Identity Repair Does Not Apply to the Following:

Any expense, damage or loss:

- Due to
 - o Any transactions on your financial accounts made by authorized users, even if acting without your knowledge, or
 - o Any act of theft, deceit, collusion, dishonesty or criminal act by you or any person acting in concert with you, or by any of your authorized representatives, whether acting alone or in collusion with you or others (collectively, your "Misrepresentation");
- Incurred by you from an Event that did not occur during your coverage period; or
- In connection with an Event that you fail to report to AllClear ID prior to the expiration of your AllClear Identity Repair coverage period.

Other Exclusions:

- AllClear ID will not pay or be obligated for any costs or expenses other than as described herein, including without limitation fees of any service providers not retained by AllClear ID; AllClear ID reserves the right to investigate any asserted claim to determine its validity.
- AllClear ID is not an insurance company, and AllClear Identity Repair is not an insurance policy; AllClear ID will not make payments or reimbursements to you for any loss or liability you may incur.
- AllClear ID is not a credit repair organization, is not a credit counseling service, and does not promise to help you improve your credit history or rating beyond resolving incidents of fraud.
- AllClear ID reserves the right to reasonably investigate any asserted claim to determine its validity. All recipients of AllClear Identity Repair coverage are expected to protect their personal information in a reasonable way at all times. Accordingly, recipients will not deliberately or recklessly disclose or publish their Social Security number or any other personal information to those who would reasonably be expected to improperly use or disclose that Personal Information.

Opt-out Policy

If for any reason you wish to have your information removed from the eligibility database for AllClear Identity Repair, please contact AllClear ID:

E-mail support@allclearid.com	Mail AllClear ID, Inc. 823 Congress Avenue Suite 300 Austin, Texas 78701	Phone 1.855.434.8077
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